

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

NICHOLAS SAUCIER and JASON SAUCIER

PLAINTIFFS

VERSUS

CIVIL ACTION NO. 5:08-CV-151-DCB-JMR

**BRIDGESTONE/FIRESTONE NORTH AMERICAN
TIRE, L.L.C. f/k/a BRIDGESTONE/FIRESTONE, INC.;
MAZDA MOTOR OF AMERICA, INC.; and
FORD MOTOR COMPANY**

DEFENDANTS

ORDER GRANTING PARTIAL SUMMARY JUDGMENT

Motions for Partial Summary Judgment filed by Ford Motor Company (Ford) and Mazda Motor of America, Inc. (Mazda) (**Docs. 50, 57**) on the Plaintiffs' breach of warranty claim (First Claim) and Magnuson-Moss Warranty Act claim (Second Claim) are before the Court. The motions raise the statute of limitations as a defense. The Plaintiffs have notified the Court that they do not oppose the motions.

IT IS, THEREFORE, ORDERED that:

1. Ford's and Mazda's Motion for Partial Summary Judgment (**Doc. 50**) on the Plaintiffs' breach of warranty claim (First Claim) and Motion for Partial Summary Judgment (**Doc. 57**) on the Magnuson-Moss Warranty Act claim (Second Claim) are granted.

2. Ford and Mazda are granted partial summary judgment on the Plaintiffs' breach of warranty claim (First Claim) and Magnuson-Moss Warranty Act claim (Second Claim) because the claims are barred by the statute of limitations.

3. The Plaintiffs' other claims remain pending.

SO ORDERED, this the 16th day of December, 2008.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE

Submitted by:

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